

**In the Claims:**

Please **amend** the currently pending claims by substituting the following:

Claim 1 (cancelled)

A Claim 2 (currently amended) A download ~~system~~ apparatus according to claim 1 ~~+~~ 26, wherein said download device comprises:

~~a table on which said portable player is placed when music data is downloaded to said portable player;~~

~~a reception device that receives the music data having the type data transmitted from said center station;~~

~~an input device that inputs~~ for receiving type data from the user of desired music data sets required by a the user;

~~a data memory device that stores the music data transmitted from said center station; and~~

~~a control device that operates based on the type data of the music data received by said reception device, the type data of the music data previously stored in the storage medium of the portable player, and the type data input by said input device, to control selection~~ for selecting at least one of the music data sets from said the center station, storage of the selected music data for storing in said data memory device, and downloading of the music data to the storage medium of said portable player.

Claim 3 (currently amended) A download systems apparatus according to claim 2, wherein said control device comprises:

A  
a known type data read-in device that reads in, as known type data, the type data of the previously downloaded music data sets previously stored in the storage medium of ~~the portable~~ said player ~~when said portable player is placed on said table;~~

a desired type read-in device that reads in, as desired type data, the type data input by the user using said input device;

a new type data read-in device that reads in, as new type data, the type data of the new music data sets received by said reception device;

a determination device that determines, for each new music data set, whether ~~or not~~ the ~~desired type data is equal to~~ the new type data of the new music data set is equal to the desired type data and whether the new type data of the new music data set is different from all of the known type data;

a data storing device ~~that stores the~~ for storing at least one new music data set transmitted from ~~said~~ the center station in said data memory device when the determination device determines that the ~~desired type data is equal to~~ the new type data of the at least one new music data set is equal to the desired type data and ~~the new type data is~~ but different from all of the known type data;

a downloading device that ~~downloadsthe~~ downloads the music data sets stored in said data memory device by said data storage device to the storage medium of said ~~portable~~ player; and

a type data rewrite device that rewrites said new type data as known type data.

Claim 4 (currently amended) A download ~~system~~ apparatus according to claim 4 26, wherein the storage medium of said ~~portable~~ player comprises a writable ROM, and wherein said download device includes an encoding device that encodes music data into MPEG codes ~~when downloading the music data to said ROM.~~

Claim 5 (currently amended) A download control method for a ~~portable~~ player, comprising the steps of:

A reading in, as known type data, type data of music data stored in a storage medium provided in a ~~portable~~ player ~~when the portable player is placed on a table;~~

reading in, as desired type data, type data input by a user;

reading in, as new type data, type data of music data transmitted from a center station and received;

determining whether or not the desired type data is equal to the new type data and the new type data is different from the known type data;

storing the music data transmitted from said center station in a data memory device when the desired type data is equal to the new type data and the new type data is different from the known type data;

downloading the music data stored in the data memory device to the storage medium provided in said ~~portable~~ player; and

rewriting said new type data as known type data.

Claim 6 (currently amended) A mechanically readable storage medium storing commands that allow a machine to execute a download control method comprising the steps of:

reading in, as known type data, type data of music data stored in a storage medium provided in a portable player ~~when the portable player is placed on a table;~~

reading in, as desired type data, type data input by a user;

A reading in, as new type data, type data of music data transmitted from a center station and received;

determining whether or not the desired type data is equal to the new type data and the new type data is different from the known type data;

storing the music data transmitted from said center station in a data memory device when the desired type data is equal to the new type data and the new type data is different from the known type data;

downloading the music data stored in the data memory device to the storage medium provided in said portable player; and

rewriting said new type data as known type data.

Claim 7 (new) A download apparatus according to claim 26, wherein said player is a portable player.

Claim 8 (new) A download apparatus according to claim 26, wherein said center station is a radio station.

Claim 9 (new) A download apparatus according to claim 2, wherein said download device comprises a receptor which said player is coupled when music data is downloaded to said player.

A  
Claim 10 (new) A download control method according to claim 5, wherein the player is a portable player.

Claim 11 (new) A download control method according to claim 5, wherein the player is placed on a table when music data is downloaded to the player, and type data of music data stored in the storage medium provided in the player is read as known type data when the player is placed on the table.\

Claim 12 (new) A mechanically readable storage medium according to claim 6, wherein the player is a portable player.

Claim 13 (new) A mechanically readable storage medium according to claim 6, wherein the player is placed on a table when music data is downloaded to the player, and type data of music data stored in the storage medium provided in the player is read as known type data when the player is placed on the table.

Claim 14 (new) A download apparatus according to claim 26, wherein the type data is at least one of genre data, singer data and number data.

Claim 15 (new) A recording apparatus comprising:

a player carrying a storage medium that stores sound data having type data which is capable of being designated by a user;

a reception device that receives the type data transmitted from a source; and

A  
a recording device that records the sound data, which has not been recorded in said recording device and is transmitted from the source, to the storage medium carried by said player when the type data transmitted from the source matches the type data designated by the user.

Claim 16 (new) A recording apparatus according to claim 15, wherein the type data are at least one of genre data, singer data and number data, respectively.

Claim 17 (new) A recording apparatus according to claim 15, wherein the sound data is music data.

Claim 18 (new) A recording apparatus according to claim 15, wherein said reception device is a tuner and the sound data is received through said tuner.

Claim 19 (new) A recording apparatus according to claim 15, wherein said player is an MP3 player.

Claim 20 (new) A recording apparatus according to claim 15, wherein the type data transmitted from the source is stored as new type data and is compared with the type data designated by the user.

Claim 21 (new) A recording apparatus according to claim 20, wherein the type data transmitted from the source is stored as known type data.

A  
Claim 22 (new) A recording apparatus according to claim 21, wherein the sound data is recorded when the new type data is identical to the type data designated by the user and the new data is different from the known type data.

Claim 23 (new) A recording apparatus according to claim 15, further comprising an MPEG encoder, and wherein the sound data is encoded by said MPEG encoder.

Claim 24 (new) A recording apparatus according to claim 15, wherein said recording device includes a hard disk drive.

Claim 25 (new) A recording apparatus according to claim 24, wherein the sound data transmitted from the source is recorded in the hard disk drive and the sound data recorded in the hard disk drive is transferred to the storage medium.

Claim 26 (new) In a download system for downloading music data sets, wherein each music data set includes a type data for identifying content characteristics of the music data set, the type data being designable by a user, a download apparatus comprising:

A a player including a storage medium for storing music data sets, said storage medium having stored previously downloaded music data sets;

a download device connectable to a center station for downloading new music data sets to said storage medium, wherein at least one of said new music data sets include type data that does not match any of the type data of the previously downloaded music data sets; and

a reception device operatively coupled to said download device for receiving music data sets transmitted from said center station.

---